

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**IN RE:
MERISOL VILLAGES,
LLC,
DEBTOR.**

CHAPTER 11 CASE

CASE NO. 22-20135-DRJ

**MERISOL VILLAGES,
LLC & CHARLES L.
CASTOR, JR.,
*Plaintiffs,***

v.

ADVERSARY NO. 22-02010

**SICO, HOELSCHER, HARRIS
BRAUGH LLP N/K/A SICO,
HOELSCHER & HARRIS, LLP,
BRANTLEY WHITE, ROGER S.
BRAUGH, JR., DAVIS,
HUTCHINSON & WILKERSON,
LLP & CAREY P. LOCKE,
*Defendants,***

PETITIONERS' MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE DAVID R. JONES, CHIEF UNITED STATES BANKRUPTCY JUDGE:

NOW COME **Merisol Villages, LLC (“Merisol”) and Charles L. Castor, Jr. (“Castor”)** (collectively, “*Petitioners*”), and file this Motion to Dismiss With Prejudice, and respectfully show:

1. Petitioner seeks an order of dismissal with prejudice of all claims brought or which could have been brought herein. granting leave to file the First Amended Complaint filed in this Court on August 23, 2022.
2. The Petitioner and the Defendants have fully and finally settled all claims of all parties herein. All parties have signed formal settlement documents agreeing that this cause shall be dismissed with prejudice to refiling, and to seek orders disposing of any and all claims brought, or which could have been brought, in this Adversary action.

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests entry of an order of dismissal with prejudice of any and all claims brought or which could have been brought in this action.

Dated: March 3, 2023.

Respectfully submitted by:

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By: /s/ Carl J. Kolb
Carl J. Kolb
Texas Bar No. 11660480
S.D. Admission No. 29157
COUNSEL FOR PETITIONERS

CERTIFICATE OF SERVICE

I certify that this Motion to Dismiss With Prejudice was filed electronically via the ECF system on the 3rd day of March, 2023, and was served upon Dale Jefferson, jefferson@mdjwlaw.com, Jeffrey G. Tinkham, tinkham@mdjwlaw.com; John G.H. Davis, jdavis@brownsims.com; and was also emailed on the date of filing to Ray Battaglia, rbattaglia@outlook.com; Stephen A. Roberts, sroberts@srobertslawfirm.com; and Andrew Jimenez, United States Trustee's counsel, andrew.jimenez@usdoj.gov.

By: /s/ Carl J. Kolb
Carl J. Kolb
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